

**AMENDED**  
**UNITED STATES DISTRICT COURT**  
**NORTHERN DISTRICT OF ILLINOIS**  
**EASTERN DIVISION**

**FILED**

MAY 06 2022 *[Signature]*

THOMAS G. BRUTON  
CLERK, U.S. DISTRICT COURT

*Michelle Inez Ibanez*

\_\_\_\_\_  
(Enter above the full name  
of the plaintiff or plaintiffs in  
this action)

vs.

Case No: 1:21-cv-04336  
(To be supplied by the Clerk of this Court)

*HINKS Interest Limited Partnership*  
*c/o Jeffrey C. HINKS*

\_\_\_\_\_  
(Enter above the full name of ALL  
defendants in this action. Do not  
use "et al.")

**CHECK ONE ONLY:**

**AMENDED COMPLAINT**

☒

**COMPLAINT UNDER THE CIVIL RIGHTS ACT, TITLE 42 SECTION 1983**  
**U.S. Code (state, county, or municipal defendants)**

\_\_\_\_\_

**COMPLAINT UNDER THE CONSTITUTION ("BIVENS" ACTION), TITLE**  
**28 SECTION 1331 U.S. Code (federal defendants)**

\_\_\_\_\_

**OTHER (cite statute, if known)**

***BEFORE FILLING OUT THIS COMPLAINT, PLEASE REFER TO "INSTRUCTIONS FOR FILING." FOLLOW THESE INSTRUCTIONS CAREFULLY.***

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**I. Plaintiff(s):**

- A. Name: Michelle Inez Urbanez
- B. List all aliases: NA
- C. Prisoner identification number: NA
- D. Place of present confinement: NA
- E. Address: NA

(If there is more than one plaintiff, then each plaintiff must list his or her name, aliases, I.D. number, place of confinement, and current address according to the above format on a separate sheet of paper.)

**II. Defendant(s):**

(In **A** below, place the full name of the first defendant in the first blank, his or her official position in the second blank, and his or her place of employment in the third blank. Space for two additional defendants is provided in **B** and **C**.)

- A. Defendant: JAY BENNETT  
Title: SENIOR MANAGER  
Place of Employment: HINKS (Interest Limited Partnership)
- B. Defendant: Jeffrey C. Hinks  
Title: Co-Chief Executive Officer  
Place of Employment: HINKS (Interest Limited Partnership)
- C. Defendant: Mike Hochauer  
Title: General Manager  
Place of Employment: HINKS (Interest Limited Partnership)

(If you have more than three defendants, then all additional defendants must be listed according to the above format on a separate sheet of paper.)



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**III. List ALL lawsuits you (and your co-plaintiffs, if any) have filed in any state or federal court in the United States:**

- A. Name of case and docket number: 1:21-cv-04336
- B. Approximate date of filing lawsuit: August 13, 2021
- C. List all plaintiffs (if you had co-plaintiffs), including any aliases: Michelle Inez Ibáñez
- D. List all defendants: Jay Bennett, Jeffrey C. Hines, Michael Hochauer
- E. Court in which the lawsuit was filed (if federal court, name the district; if state court, name the county): United States District Court for the Northern District of Illinois Eastern Division
- F. Name of judge to whom case was assigned: Judge Robert M. Dow Jr.
- G. Basic claim made: Employment Discrimination based on disability, race, sex, and age. Failed to stop harassment, reasonable accommodation, disability, retaliation, and failed to stop hostile work environment.
- H. Disposition of this case (for example: Was the case dismissed? Was it appealed? Is it still pending?): Still pending
- I. Approximate date of disposition: May 16<sup>th</sup>, 2022

**IF YOU HAVE FILED MORE THAN ONE LAWSUIT, THEN YOU MUST DESCRIBE THE ADDITIONAL LAWSUITS ON ANOTHER PIECE OF PAPER, USING THIS SAME FORMAT. REGARDLESS OF HOW MANY CASES YOU HAVE PREVIOUSLY FILED, YOU WILL NOT BE EXCUSED FROM FILLING OUT THIS SECTION COMPLETELY, AND FAILURE TO DO SO MAY RESULT IN DISMISSAL OF YOUR CASE. CO-PLAINTIFFS MUST ALSO LIST ALL CASES THEY HAVE FILED.**



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#### IV. Statement of Claim:

State here as briefly as possible the facts of your case. Describe how each defendant is involved, including names, dates, and places. **Do not give any legal arguments or cite any cases or statutes.** If you intend to allege a number of related claims, number and set forth each claim in a separate paragraph. (Use as much space as you need. Attach extra sheets if necessary.)

I WAS employed with Hines on June 17, 2019  
AS A Concierge. I WAS terminated on February  
12th 2020 by Jay Bennett and Mike Hochauer.  
Shortly After I began my employment with Hines  
I began to experience sexual harassment, constant  
& daily harassment, unwanted remarks about my  
age, race and inappropriate behavior from numerous  
employees and discriminatory behavior towards  
me such as treating me differently than other  
caucasian etc. individuals at this place of  
employment. Several employees harassed me  
on almost a daily basis - following me around  
constantly dumping work on me that was not  
my responsibility - making sexual innuendos/remarks,  
damaging my vehicle in the employee garage,  
spraying heavy & profuse amounts of toxic  
cleaning chemicals on my personal documents,  
my personal belongings & my workspace -  
causing my lungs to experience difficulty  
breathing, anxiety attacks, PTSD episodes



And eventually having to take several months off of work due to a total nervous breakdown. One employee, the director of security Luis Lopez would be deliberately sneak up behind me by making loud abrupt sounds which was highly disturbing & frightening.

I experienced fat jokes, body remarks, negative comments & remarks that were age & sex related for months. Although I take showers every day, I was told I was small and my supervisor was going around sniffing me. I constantly reported this everything that was occurring to my manager Mike Hochhauser who retaliated against me, did not make reasonable accommodations and failed to stop the harassment & created & perpetuated a hostile work environment. I then reported all of this to Jim Bennett who was in HR at the time. That is when Mike Hochhauser retaliated against me even more and when he and Jim Bennett worked together to terminate me. They failed to stop the discrimination, to reasonably accommodate my disabilities, failed to stop the harassment & failed to do what was right. I was harassed each day.



(IV) continued

I reported all of this to the top person in HR at Hines, Mr. JAY Bennett. And he did nothing to stop the retaliation, the discriminatory acts, the sexual harassment/harassment. JAY Bennett sided with my boss Mike Hochauer who was the main person involved in the retaliation against me.

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V. Relief:

State briefly exactly what you want the court to do for you. Make no legal arguments. Cite no cases or statutes.

PLEASE help me to receive JUSTICE AND the appropriate  
compensation for the egregious way that I was treated AS  
A human being & employed AND for the incredible amount I suffered  
AS A result of discrimination, sexual harassment, humiliation, loss of employment  
& extreme retaliation AGAINST me by this Employer

VI. The plaintiff demands that the case be tried by a jury. ☒ YES ☐ NO

CERTIFICATION

By signing this Complaint, I certify that the facts stated in this Complaint are true to the best of my knowledge, information and belief. I understand that if this certification is not correct, I may be subject to sanctions by the Court.

Signed this 6th day of May, 2022

(Signature of plaintiff or plaintiffs)

(Print name)

(I.D. Number)

(Address)

5815 N. Sheridan Road Apt. 915  
Chicago, IL 60660

## Paragraph 13

1. Hines failed to accommodate my disability regarding difficulty breathing around toxic chemicals and perfumed fragrances which caused a reaction in my lungs and caused anxiety and panic attacks at work. While I was employed with Hines from June 17<sup>th</sup>, 2019-February 12, 2020 I made it known to my boss Mike Hochhauser that I was having extreme difficulty breathing when certain co-workers would "maliciously" (in Mike Hochhauser's words) spray unnecessary, highly-toxic, and profuse amounts of cleaning agents, chemical and perfumes around my work station, on my documents, inside of my desk drawers, constantly in the air where I worked, and on my personal belongings. Instead of having a talk with the culprits and putting a stop to this – or instead of making a reasonable accommodation by moving my desk to a different area etc., nothing was done to accommodate, and nothing was done to put a stop to this. It resulted in me having such great difficulty breathing, stress, panic attacks, and high levels of anxiety and being put on medication to help with my breathing. I made Mike Hochhauser and Jay Bennett aware of this and so they had knowledge of my disability. I contacted Jeffrey C. Hine's secretary directly on a couple of occasions, explained to her what was going on, however, both Jeffrey C. Hines and his personal secretary remained unresponsive in the matter.
2. Hines failed to accommodate my disability regarding having PTSD and suffering from anxiety, when I reported to both my manager and Mike Hochhauser, supervisor Jessica Ortiz, and Jay Bennett in HR about how the deliberate, startling, abrupt, and loud clapping and banging sound that Luis Lopez – the Director of Security – would come out of nowhere and at times from behind me were so disturbing to me that I would breakout in tears and become visibly upset, they would do nothing to put a stop to this kind of harassment.
3. Regarding sex discrimination, harassment, and sexual harassment, I was subjected to this on almost a daily basis by coworkers Steve Sink, Maressa Monroe, Oscar, others and – especially by a coworker named Shattarra Morgan,. Shattarra constantly harassed me about why I was allowed to be hired as a Concierge, she wanted me to teach her how to be a Concierge, she made daily unwanted sexual and inappropriate remarks and sexual innuendos directly to me and displayed an extremely hostile attitude towards me. Her and another coworker named Eve sprayed toxic chemicals and perfumes around me on a daily basis while at work and maliciously sprayed down my personal belongings. Even though I spoke with them directly and my boss Mike Hochhauser about all of what was going on where this was concerned, Mike Hochhauser and Jay Bennett allowed this behavior to be directed towards me and did nothing to stop the harassment/sexual harassment. There was also an incident wherein an employee by the name of Steve Sink was allowed to continually harass me by following me around the building at work, following me to my desk, bombarding me with requests, dumping work on me that did not belong to me, berating me in front of my colleague and guests, screaming at me, slamming his office door and throwing me out of his office and reducing me to tears.



## Paragraph 13 Continued

When I reported it to my supervisor Jessica Ortiz she did nothing about it. And essentially, my boss Mike Hochauer retaliated against me when I reported it to him and someone named Carly Stevenson. Mike retaliated by trying to have me terminated within 12 days after reporting this to him instead of reprimanding Steve Sink for his harassing, terrible, and egregious behavior towards me.

4. Concerning race discrimination and how I was treated differently, this was evident by the way all of the black coworkers treated me as a multi-racial person. All of the black women I worked with treated other black women with respect, in a friendly manner, and with professionalism but I was treated differently as described in paragraph 3. Coworker Maressa Monroe, a black woman, treated me differently than the other black workers and also harassed me. She was extremely adversarial, unfriendly and disrespectful towards me and repeatedly made fat jokes and unfavorable body remarks towards me. She and the other black women I worked with were highly uncooperative and adversarial towards me. And remarks and questions were made about what race was I by several coworkers? Coworker Alli Schwartz, a Caucasian women, was one of the worst offenders, she treated me and other ethnic minorities as if they were totally beneath speaking to and interacting with. This was evident by her refusal to speak with me, refusal to respond and work cooperatively with me, humiliating me in front of her visitors and guests, and treating me in a disrespectful and condescending manner. When I reported this to my boss Mike Hochauer and Jay Bennett from HR, Alli Schwartz retaliated against me by maintaining a hostile, unfriendly, uncooperative, and unprofessional working relationship with her – although she was just the opposite with others. I reported this to Mike Hochauer and Jay Bennett who allowed this behavior to be directed towards me and did nothing to stop it – thus creating an extremely hostile work environment.
5. Concerning age discrimination I am 53 years old and was older than almost everyone on me team, including my boss Mike Hochauer. One employee whom I offered to help with moving some packages which looked heavy (I forgot his name) retorted: “I don’t need your help, you’re old and I’m young. Another coworker named Oscar with security, was always asking me age-related questions in an aim to find out my age. And Mike Hochaser, left a picture of my drivers license out in the open on his desk for about a week or so for every coworker entering is office to see instead of securing it as a piece of confidential information that it was. And there were other who poked fun at my age. I felt treated differently because of my age.

Failure to stop the retaliation, the discrimination I was subjected to, and failure to accommodate my request concerning my disability, resulted in me having a nervous breakdown, becoming extremely depressed, and highly stressed – especially after someone went into the employee parking garage and damaged my vehicle. I had to take a few months off from work and when I decided not to allow my coworkers to take the job that worked so hard to land

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job and when I returned to work in February, Mike Hochouser and Jay Bennett swiftly terminated me just days after I returned.